

99006005017000

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/143460/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99006005017000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Working hours; application for longer daily working hours for continuous shift operations, construction and assembly sites
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher	

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<b>Ansprechpartner</b>	
<b>Fachlich freigegeben am</b>	04.06.2025
<b>Fachlich freigegeben durch</b>	Bayerisches Staatsministerium für Familie, Arbeit und Soziales (Bavarian Bavarian State Ministry for Family, Labour and Social Affairs)
<b>Handlungsgrundlage</b>	<a href="https://www.gesetze-im-internet.de/arbzbzg/_15.html">https://www.gesetze-im-internet.de/arbzbzg/_15.html</a> <a href="https://www.gesetze-im-internet.de/arbzbzg/_15.html">https://www.gesetze-im-internet.de/arbzbzg/_15.html</a>
<b>Teaser</b>	Under certain conditions, employers can apply for longer daily working hours for employees in continuous shift operations, construction and assembly sites.
<b>Volltext</b>	<p>The daily working hours of employees are limited to a maximum of 10 hours in accordance with Section 3 of the Working Hours Act (ArbZG). An application for longer daily working hours for employees can be made in the following cases, provided that the company is not already subject to collective agreements in this regard:</p> <ul style="list-style-type: none"> <li>• continuous shift operations to achieve additional free shifts</li> <li>• Construction and assembly sites</li> </ul> <p>Continuous shift operations" are defined as operations in which work is carried out in rotating shifts around the clock. It is essential that shift work is performed continuously, i.e. that the entire period of several consecutive working days or working days (semi-continuous) or even all days of the week (fully continuous) is used for shift work.</p>
<b>Erforderliche Unterlagen</b>	<ul style="list-style-type: none"> <li>• The following documents are required:           <ul style="list-style-type: none"> <li>• Evidence that conclusively demonstrates that the requirements for the application have been met</li> <li>• at the request of the competent authority: Result of the current risk assessment, which deals in particular with the additional hazards caused by the extension of working hours</li> </ul> </li> </ul>

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- Overview of the number of employees affected
- Statement from the company doctor on the effects of the extended working hours
- Statement from the occupational safety specialist on the impact of the extended working hours
- If applicable, statement from the works council, staff council or employee representative body

## Voraussetzungen

### #### Continuous shift operations

- The applicant does not have a collective agreement exception regarding extended working hours.
- There must be additional shifts off for the employees concerned.  
Additional shifts off are only those that deviate from the regular working time organization in the company. As a result of the change in working hours, employees must have more days off than would be the case according to the company's normal working time planning.
- The application must outline compensatory measures for the increased health risks associated with longer daily working hours.
- A risk assessment was carried out in accordance with the Occupational Health and Safety Act. In particular, the hazards and stresses resulting from the longer daily working hours were taken into account:
  - Hazards from heavy physical labor, hazardous substances, noise, radiation, etc.,
  - Risks due to particularly stressful activities, e.g. with high mental stress, special accident risks, driving times, etc,
  - stress caused by the length of working hours, shift work, rest breaks, daily and weekly rest periods and, where applicable, work on Sundays and public holidays.
- Statements from the occupational safety specialist and the company doctor in charge, which address the specific operational situation of the application, were submitted by the applicant. The applicant has implemented the resulting findings, which require additional protective measures for employees.

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### #### Construction and assembly sites

- The applicant does not have any collective agreement exceptions regarding extended working hours.
- The construction or assembly sites are so far away from the company headquarters that a daily return to the company headquarters is neither economically viable nor reasonable for the employees.
- In the discretionary decision, particular consideration must be given to whether the extension of the daily working hours will result in longer continuous blocks of free time for the employees at their place of residence. Such an application should not be made solely for operational reasons.
- A risk assessment was carried out in accordance with the Occupational Health and Safety Act. In particular, the hazards and stresses resulting from the extension of the daily working hours were taken into account:
  - Hazards from heavy physical labor, hazardous substances, noise, radiation, etc.,
  - Hazards due to particularly stressful activities, e.g. with high mental stress, special accident risks, driving times, etc,
  - stress caused by the length of working hours, shift work, rest breaks, daily and weekly rest periods and, where applicable, work on Sundays and public holidays.
- Statements from the occupational safety specialist and the company doctor in charge, which address the specific operational situation of the application, were submitted by the applicant. The applicant has implemented the resulting findings, which require additional protective measures for employees.

## Kosten

Cost range: EUR 50 to 10,000  
The costs depend on the duration of the permit and the number of people affected.

## Verfahrensablauf

- The company can submit an application in writing or online.
- In addition to the required documents, the following information is required:
  - Applicant (here: company),

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- Number of employees concerned,
- place of employment, responsible person(s) in the company or on the construction site,
- period or duration of the extension of working hours,
- specific details of the planned working hours and break times
- Information on occupational health care
- If the requirements for approval are met, the applicant will receive a notice of approval.
- If the requirements for approval are not met, the applicant will be given the opportunity to withdraw the application. If the application is not withdrawn, the applicant will receive a rejection notice. The costs for the rejection notice are calculated on the basis of the list of costs.
- If the documents or information required for processing are incomplete, the applicant will be contacted by the competent authority.

### #### Electronic submission

- The application can be submitted digitally to the competent authority using the online procedure.
- The attachments are uploaded in electronic form (files in PDF format).

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### #### Written submission

- The informal application can be sent to the competent authority with the required documents.
- In the case of continuous shift operations and construction and assembly companies, the trade supervisory office of the government in whose district the applicant has its registered office or, if there is no registered office in Germany, the trade supervisory office in whose supervisory district the place of

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	employment where work is to be carried out is responsible.
Bearbeitungsdauer	As a rule, one to four weeks from receipt of the complete application documents.
Frist	none
weiterführende Informationen	
Hinweise	
Rechtsbehelf	Administrative court action
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal